

MAR. 5. 2004 1:46PM

RDC IPLD

RECEIVED
CENTRAL FAX CENTER

NO. 7751 P. 1

MAR 05 2004

Fax Cover Sheet

OFFICIAL



Diagnostics

To: Daniel L. Robinson Group 3742
U.S. Patent and Trademark Office
Tel. (703) 306-9043
Fax (703) 872-9302

Copies:

From: Michele Wilson Roche Diagnostics Corporation
Tel. (317) 521-7314
Fax (317) 521-2883

Date: March 5, 2004

No. of pages: 7 (incl. cover sheet)

Re: U.S. Patent Application Serial No. 09/810,635, Filed March 16, 2001
Entitled: *Subcutaneous Analyte Sensor*
Our Ref.: BMID9977US

Responsive to the Office Action mailed December 5, 2003, attached please find the following:

- Response to Restriction Requirement Mailed December 5, 2003 (2pp);
- Petition for Extension of Time (1pp in duplicate)
- Revocation of Power of Attorney (1pp);
- Power of Attorney (1pp);

Sincerely,

Michele Wilson
For Sujatha Subramaniam

Attachments

/mw

J:\IDS\9900-9999\9977us\Fax Transmittal Form to USPTO.doc

MAR. 5. 2004 1:46PM

RDC IPLD

RECEIVED
CENTRAL FAX CENTER

MAR 05 2004

NO. 7751 P. 2

Atty. Docket No. BMID9977US

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: GERBER, Martin et al.

Application No.: 09/810,635

Group No.: 3742

Filed: March 16, 2001

Examiner: Daniel Leon Robinson

For: SUBCUTANEOUS ANALYTE SENSOR

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO THE RESTRICTION REQUIREMENT OF December 5, 2003

Substitution and Revocation of Power of Attorney

Attached to this response is a Substitution and Revocation of Power of Attorney, revoking the power previously granted to Brinks Hofer Gilson & Lione. The Applicants request the Examiner to address all future correspondence to the attention of the undersigned.

Extension of time

Applicants hereby request a 2 month extension of time from January 5, 04 to March 5, 04 to file a response to the Office Action.

Response to Election/ Restriction.

Applicants hereby elect Group I, Claims 1 to 32, 53 to 64 and 78 to 82, drawn to an assembly and classified in Class 310.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following paper is being sent via facsimile to the U.S. Patent and Trademark Office on

March 5, 2004


Michele Wilson

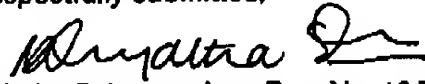
Additionally, Applicants also elect Species A, Claims 1 to 32, 53 to 64 , 71 to 82 all read on Species A directed towards one light source.

Conclusion

Accordingly, it is respectfully requested that Examiner withdraw the restriction requirement in its entirety and examine the claims in Group I and Species A. If a personal conversation will expedite the prosecution of this application, the Examiner is invited to call the undersigned.

Date: March 5th, 04

Respectfully submitted,



Sujatha Subramaniam, Reg. No. 48,739
Roche Diagnostics Operations, Inc.
9115 Hague Road, Bldg. D
Indianapolis, IN 46250-0457
Telephone: (317) 521-2851

\\RIDNFDAT5\VOL2\CORE\PLD\IDS\0001-0099\0078us\ResponsetoRestrictionRequirement.doc